

South Carolina Law Enforcement Division

Independent Accountants' Report on

Applying Agreed-Upon Procedures

for the year ended June 30, 2006

State of South Carolina



Office of the State Auditor

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June 21, 2007

The Honorable Mark Sanford, Governor
and
Chief Robert M. Stewart
South Carolina Law Enforcement Division
Columbia, South Carolina

This report resulting from the application of certain agreed-upon procedures to certain accounting records of the South Carolina Law Enforcement Division for the fiscal year ended June 30, 2006, was issued by Scott McElveen, LLP, Certified Public Accountants, under contract with the South Carolina Office of the State Auditor.

If you have any questions regarding this report, please let us know.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard H. Gilbert, Jr.", written in a cursive style.

Richard H. Gilbert, Jr., CPA
Deputy State Auditor

RHGjr/trb

Contents

Independent Accountants' Report on Applying Agreed-Upon Procedures	1-5
Accountants' Comments	
Section A – Violations of State Laws, Rules or Regulations	6-7
Section B – Status of Prior Findings.....	7
Management's Response	8-9

Independent Accountants' Report on Applying Agreed-Upon Procedures

Mr. Richard H. Gilbert, Jr., CPA
Deputy State Auditor
State of South Carolina
Columbia, South Carolina

We have performed the procedures described below, which were agreed to by the management of the South Carolina Law Enforcement Division (the "Agency") and the South Carolina Office of the State Auditor (the "State Auditor") solely to assist you in evaluating the performance of the Agency for the fiscal year ended June 30, 2006, in the areas addressed. The Agency's management is responsible for its financial records, internal controls and compliance with State laws and regulations. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the specified parties in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and the associated findings are as follows:

1. Cash Receipts and Revenues

- We inspected 25 randomly selected recorded receipts to determine if these receipts were properly described and classified in the accounting records in accordance with the Agency's policies and procedures and State regulations.
- We inspected 10 randomly selected recorded receipts to determine if these receipts were recorded in the proper fiscal year.
- We compared amounts recorded in the general ledger and subsidiary ledgers to those in the State's accounting system ("STARS") as reflected on the Comptroller General's reports to determine if recorded revenues were in agreement.
- We made inquiries and performed substantive procedures to determine if revenue collection and retention or remittance were supported by law.
- We compared current year recorded revenues at the subfund and object code level from sources other than State General Fund appropriations to those of the prior year. We investigated changes in the general, earmarked, restricted and Federal funds to ensure that revenue was classified properly in the Agency's accounting records. The scope was based on agreed upon materiality levels (\$140,000 – general fund, \$83,000 – earmarked fund, and \$160,000 – Federal fund) and change of +/- 10 percent.

- We made inquiries of management pertaining to the Agency's policies for accountability and security over permits, licenses, and other documents issued for money. We observed Agency personnel performing their duties to determine if they understood and followed the described policies.

Our finding as a result of these procedures is presented in Sections A in the Accountants' Comments sections of this report.

2. Non-Payroll Disbursements and Expenditures

- We inspected 25 randomly selected recorded non-payroll disbursements to determine if these disbursements were properly described and classified in the accounting records in accordance with the Agency's policies and procedures and State regulations; were bona fide disbursements of the Agency, and were paid in conformity with State laws and regulations; if the acquired goods and/or services were procured in accordance with applicable laws and regulations.
- We inspected 10 randomly selected recorded non-payroll disbursements to determine if these disbursements were recorded in the proper fiscal year.
- We compared amounts recorded in the general ledger and subsidiary ledgers to those in various STARS reports to determine if recorded expenditures were in agreement.
- We compared current year expenditures at the subfund and major object code level to those of the prior year. We investigated changes in the general, earmarked, restricted and Federal funds to ensure that expenditures were classified properly in the Agency's accounting records. The scope was based on agreed upon materiality levels (\$140,000 – general fund, \$83,000 – earmarked fund, and \$160,000 – Federal fund) and change of +/- 10 percent.

Our finding as a result of these procedures is presented in Sections A in the Accountants' Comments sections of this report.

3. Payroll Disbursements and Expenditures

- We inspected 25 randomly selected recorded payroll disbursements to determine if the selected payroll transactions were properly described, classified, and distributed in the accounting records; persons on the payroll were bona fide employees; payroll transactions, including employee payroll deductions, were properly authorized and were in accordance with existing legal requirements and processed in accordance with the Agency's policies and procedures and State regulations.
- We inspected 5 randomly selected payroll vouchers to determine if the vouchers were properly approved and if the gross payroll agreed to amounts recorded in the general ledger and in STARS.

- We inspected payroll transactions for 5 randomly selected new employees and 5 randomly selected individuals who terminated employment to determine if the employees were added and/or removed from the payroll in accordance with the Agency's policies and procedures, that the employee's first and/or last pay check was properly calculated and that the employee's leave payout was properly calculated in accordance with applicable State law.
- We compared amounts recorded in the general ledger and subsidiary ledgers to those in various STARS reports to determine if recorded payroll and fringe benefit expenditures were in agreement.
- We compared current year payroll expenditures at the subfund and major object code level to those of the prior year. We investigated changes in the general, earmarked, restricted and Federal funds to ensure that expenditures were classified properly in the Agency's accounting records. The scope was based on agreed upon materiality levels (\$140,000 – general fund, \$83,000 – earmarked fund, and \$160,000 – Federal fund) and change of +/- 10 percent.
- We compared the percentage change in recorded personal service expenditures to the percentage change in employer contributions; and computed the percentage distribution of recorded fringe benefit expenditures by fund source and compared the computed distribution to the actual distribution of recorded payroll expenditures by fund source. We investigated changes of 5 percent to ensure that payroll expenditures were classified properly in the Agency's accounting records.

We found no exceptions as a result of the procedures.

4. Journal Entries, Operating Transfers and Appropriation Transfers

- We inspected 5 randomly selected recorded journal entries, 5 operating transfers, and 5 appropriation transfers to determine if these transactions were properly described and classified in the accounting records; they agreed with the supporting documentation, the purpose of the transactions was documented and explained, the transactions were properly approved, and were mathematically correct; and the transactions were processed in accordance with the Agency's policies and procedures and State regulations.

We found no exceptions as a result of the procedures.

5. General ledger and Subsidiary Ledgers

- We inspected randomly selected entries and monthly totals in the subsidiary records of the Agency to determine if the amounts were mathematically accurate; the numerical sequences of selected document series were complete; the selected monthly totals were accurately posted to the general ledger; and selected entries were processed in accordance with the Agency's policies and procedures and State regulations.

We found no exceptions as a result of the procedures.

6. Reconciliations

- We obtained all monthly reconciliations prepared by the Agency for the year ended June 30, 2006, and inspected haphazardly selected reconciliations of balances in the Agency's accounting records to those in STARS as reflected in the Comptroller General's reports to determine if accounts reconciled. For the selected reconciliations, we determined if they were timely performed and properly documented in accordance with State regulations; recalculated the amounts, agreed the applicable amounts to the Agency's general ledger; agreed the applicable amounts to the STARS reports; determined if reconciling differences were adequately explained and properly resolved; and determined if necessary adjusting entries were made in the Agency's accounting records and/or in STARS.

We found no exceptions as a result of the procedures.

7. Appropriation Act

- We inspected Agency documents, observed processes, and/or made inquiries of Agency personnel to determine the Agency's compliance with Appropriation Act general and agency specific provisos.

We found no exceptions as a result of the procedures.

8. Closing Packages

- We obtained copies of closing packages as of and for the year ended June 30, 2006, prepared by the Agency and submitted to the State Comptroller General. We inspected them to determine if they were prepared in accordance with the Comptroller General's GAAP Closing Procedures Manual requirements and if the amounts reported in the closing packages agreed with the supporting workpapers and accounting records.

Our finding as a result of these procedures is presented in Section A in the Accountant's Comments section of this report.

9. Schedule of Federal Financial Assistance

- We obtained a copy of the Schedule of Federal Financial Assistance for the year ended June 30, 2006, prepared by the Agency and submitted to the State Auditor. We inspected it to determine if it was prepared in accordance with the State Auditor's letter of instructions and if the amounts agreed with the supporting workpapers and accounting records.

We found no exceptions as a result of the procedures.

10. Status of Prior Findings

- We inquired about the status of the deficiencies described in the Accountant's Comments section of our report on the Agency resulting from the engagement for the fiscal year ended June 30, 2005, to determine if adequate corrective action has been taken.

Our findings as a result of these procedures are presented in Section B in the Accountant's Comments section of this report.

We were not engaged to and did not conduct an audit, the objective of which would be the expression of an opinion on the specified elements, accounts, or items. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Governor, management, and the South Carolina Office of the State Auditor and is not intended to be and should not be used by anyone other than these specified parties.

Scott McElveen, L.L.P.

Columbia, South Carolina
June 12, 2007

ACCOUNTANTS' COMMENTS

SECTION A – VIOLATIONS OF STATE LAWS, RULES or REGULATIONS

Management of each State agency is responsible for establishing and maintaining internal controls to ensure compliance with State Laws, Rules or Regulations. The procedures agreed to by the Agency require that we plan and perform the engagement to determine whether any violations of State Laws, Rules, or Regulations occurred. The conditions described in this section have been identified as violations of State Laws, Rules or Regulations.

Cash Receipts and Revenues – Incorrect Object Code

Deposit R00357 in the amount of \$37,595.04 was a reimbursement of expenditures from the United States Secret Service. Revenue object code 7201 (“Miscellaneous Revenue”) was incorrectly used to record the deposit. Due to the nature of this receipt being a reimbursement of expenditures, expenditure object codes that were used for the original expenditures should have been used. The effect of the error was an overstatement of revenue and expenditures and a violation of the STARS Manual. STARS Manual Section 2.1.6.10 defines the object codes to correctly classify revenue and Section 2.1.6.20 defines the object codes to correctly classify expenditures. We recommend that Agency’s management carefully review their receipts in order to ensure that the correct object codes are being used to record reimbursements of expenditures.

Non-Payroll Disbursements and Expenditures – Incorrect Object Code

Voucher 2118 was used to pay \$100.70 for the purchase of a book, “Guide to Homeland Security.” Expenditure object code 0618 (“Library Books, Maps, and Film (Capitalizable)”) was incorrectly used. Expenditure object code 5018 (“Library Books, Maps, and Film (Non-Capitalizable)”) should have been used since the expenditure did not exceed \$5,000. The effect of this error was a misclassification of expenditures and a violation of the STARS Manual. STARS Manual Section 2.1.6.20 defines the object codes to correctly classify expenditures. We recommend that Agency’s management carefully review their expenditures in order to ensure that the correct expenditure object codes are being used to record expenditures.

Closing Packages – DNA Fees Revenue

Sections 23-3-620 and 23-3-670 of the 1976 South Carolina Code of Laws, as amended, requires offenders meeting certain criteria to provide DNA samples to the State Law Enforcement Division (“SLED”) for inclusion in the State’s DNA Database and to pay a \$250 processing fee. The law authorizes SLED to use the fees to offset operating costs for the DNA Database program. Furthermore, Section 23-3-670 requires that persons who are required to remit a DNA sample, if they are incarcerated, to pay the entire fee before they are paroled or released from confinement. This section requires a person not sentenced to confinement to pay the fee as a part of their sentence. The fees are primarily collected by the Department of Corrections (DC), the Department of Juvenile Justice (DJJ), and the Department of Probation, Parole, and Pardon Services (DPPPS).

Beginning in fiscal year 1999, DC began to provide samples to SLED for testing and collecting amounts from inmates for the processing fee, and DJJ and DPPPS began to do the same in fiscal year 2002. SLED has recorded revenues related to these samples based on the cash they have received rather than the amount of samples processed. SLED has not recorded the receivables related to the DNA fees. Consequently, SLED did not report these receivables on its miscellaneous receivables closing packages. As a result, the related revenues, accounts receivables, and allowance for uncollectibles were understated on the State's financial statements. We were not able to determine the amount of the understatements. A similar finding was reported in the fiscal year 2000-2001 engagement dated April 12, 2002, in the fiscal year 2001-2002 engagement dated June 12, 2003, in the fiscal year 2003-2004 engagement dated April 15, 2005, and in the fiscal year 2004-2005 engagement dated June 9, 2006.

We recommend that the Agency coordinate with the agencies responsible for submitting the DNA samples and collecting the fees to obtain a list of the qualifying offenders who owe the fee and the balance still owed in order to properly record revenues, accounts receivable, and the related allowance for uncollectibles in accordance with GAAP Manual Instructions, and so this asset may be properly tracked, monitored, controlled, and collected.

SECTION B – STATUS OF PRIOR FINDINGS

During the current engagement, we reviewed the status of corrective action taken on the findings reported in the Accountants' Comments Section of the Independent Accountants' Report on Applying Agreed Upon Procedures for the fiscal year ended June 30, 2005, and dated June 9, 2006. The following is the status of each prior year finding:

Prior Year Finding

Status

DNA Fees Revenue

Similar finding in section A of current year report

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

MARK SANFORD
Governor



ROBERT M. STEWART
Chief

June 19, 2007

Richard H. Gilbert, Jr.
Deputy State Auditor
1401 Main Street, Suite 1200
Columbia, SC 29211

Dear Mr. Gilbert:

Reference is made to the preliminary draft of the audit for the fiscal year ended June 30, 2006.

We have responded to the appropriate categories within each section of the auditor's comments for the audit period.

As always, we appreciate the expertise exhibited by the professionals on your staff. With best regard I remain.

Very truly yours,

Robert M. Stewart, Chief
South Carolina Law Enforcement Division



AGENCY RESPONSE TO AUDIT FINDINGS
Fiscal Year Ended 2005-2006

Section A – Violations of State Laws, Rules or Regulations

Cash Receipts and Revenues – Incorrect Object Code

Incorrect object code used resulted in an overstatement of revenue and an overstatement of expenditures of \$37,595.04. Recommend that management carefully review receipts in order to ensure that the correct expenditure object codes are being used to record reimbursement or expenditure.

Response - Cash Receipts and Revenues – Incorrect Object Code

This was an isolated occurrence. Agency concurs with finding and will continue to carefully review receipts to avoid any potential exceptions.

Non-Payroll Disbursements and Expenditures – Incorrect Object Code

Incorrect expenditure object code was used to pay \$100.70 for the purchase of a book (non-capitalizable), resulting in the misclassification of expenditure. Recommend management carefully review expenditures in order to ensure that the correct object codes are being used to record expenditure.

Response - Non-Payroll Disbursements and Expenditures – Incorrect Object Code

Agency concurs with audit finding and will continue to carefully review expenditures to avoid any future exceptions.

Closing Packages – DNA Fees Revenues – Prior Year Finding

We recommend that the Agency coordinate with the agencies responsible for submitting the DNA samples and collecting the fees to obtain a list of the qualifying offenders who owe the fee and the balance still owed in order to properly record accounts receivables, revenues, deferred revenues, and the related allowance for uncollectible in accordance with GAAP Manual Instructions, so this asset may be properly tracked, monitored, controlled and collected.

Response - Closing Packages – DNA Fees Revenues

The Division will continue to make efforts to meet recommended action. Agency has contacted South Carolina Department of Corrections (SCDOC) and Probation Pardon and Parole (PPP). Both agencies indicated they may be able to provide information in this matter. Therefore, the closing package for 2007, agency anticipate including amounts related to the receivables.